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LEONARD GREEN, Clerk
KAREN PARKER
Petitioner

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

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VS.

UNITED STATES OF AMERICA

Respondant

Case No.: CR-1-02-156(1)

MOTION FOR EXTENSION OF TIME TO REPLY TO
GOVERNMENT'S RESPONSE

Now Comes the Petitioner, Karen Parker, and would respectfully show the Court as follows:

1) The Government's response raises disputes and to material issues of fact. Petitioner has requested an attorney be appointed, but the Court has not yet ruled on that Motion. As a result, all of Petitioner's efforts to document her position, and to refute the Government's assertions, must be done by mail. This is a lengthy process, since mail to Petitioner can take as long as two weeks to come through the prison mail room to her.

Petitioner has commenced the process of getting the necessary evidence to document her Motion. she does believe, however, that she will need a minimum of 60 days from the date of this filing in order to adequately secure and file the evidence refuting the Government's assertions.

Specifically, Petitioner has:

- a. Served requests for Admissions of the AUSA. It is anticipated that there will be further Requests

for Admission at a later date.

- b. Requested information and affidavits from the Petitioner's former Counsel and the Counsel for Petitioner's son.
- c. Served Requests for Production on the AUSA.
- d. Filed a Motion to Supplement the Record.
- e. Requested through prison staff a telephone call to Petitioners co-defendant (Jordan) to verify her recollection of matters. This may take weeks to arrange, if it is approved at all. Petitioner has also sent a request for information by mail.

2) The Government's response also raises legal issues which Petitioner must research. Petitioner is incarcerated at a Satellite Camp. The legal materials available to her are severely limited. (see BOP Program Statement 1315.07 for a list of what the BOP provides.) For example, the Camp library has only summaries of U.S. Supreme Court decisions and no reference books providing quick access to cases, whether Appellate or Supreme Court. The library also does not have a Shepard's Citation Service, or other subject matter index. As a result, even if Petitioner were a lawyer, which she is not, researching points of law would take considerable time and effort. Petitioner needs to secure the factual evidence set out in Item 1 to reference with regard to the points of law as well.

3) Petitioner has raised material issues of duress and ineffective assistance of counsel. It is in the interest of justice, and a matter of protection of her Constitutional Rights, that she be allowed sufficient time, especially in view of the difficulties of preparing her case while incarcerated, to prepare and present her reply to the Government's response. Specifically, the Government has referenced and filed a

Transcript of the Sentencing Hearing. That transcript is not complete, as there were statements stricken from the record which are material to the issue of her attorneys representation.

Those portions which were stricken demonstrate that her counsel, rather than arguing drug weight and drug classification, left it to her to do so, and that the Court terminated her efforts to explain the issue. It clearly shows that Petitioner was forced to rely on her own efforts with regard to issues which were highly material to sentencing and quite complex. It fully supports Petitioner's arguments that counsel was ineffective in not arguing this and in placing the burden of doing so on the Petitioner.

Wherefore, these premises considered, Petitioner prays that the time to reply to the Government's Response be extended for 60 days from the date of this filing.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Karen Parker".

Karen Parker

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was mailed to:

Federal Court, Southern District of Ohio

550 Main Street, Cincinnati, OH 45202

via certified paid institutional legal mail on this, the 26 day of January, 2005.

Karen Parker

Karen Parker

Register No: 03667-061

FMC Satellite Camp

PO Box 14525

Lexington, Ky 40512-4525